

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

LEBOW 1031 LAGRANGE, LLC,

Plaintiff,

v.

FRANKENMUTH INSURANCE
COMPANY,

Defendant.

Civil Action
File No.:

PETITION FOR REMOVAL

COMES NOW, Frankenmuth Insurance Company by and through its undersigned counsel, and files its Petition for Removal and respectfully show this Court the following:

1. A civil action has been filed and is now pending in State Court of Troup County, Georgia with the parties named and aligned as stated in the caption of this document. The action is designated there as Civil Action File No.: 25-CS-135.
2. The Complaint in that action was filed on March 20, 2025. Frankenmuth Insurance Company (“Frankenmuth”) first received a copy of the Complaint, by way of email, on April 14, 2025. Therefore, this petition is being filed in this Court within thirty (30) days of receipt of the Complaint by Frankenmuth in accordance with 28 U.S.C. § 1446.

3. Pursuant to 28 U.S.C. § 1446, attached hereto as **Exhibit “A”** is a copy of all process, pleadings, and orders served upon Frankenmuth in this action. Premium information has been redacted from the insurance policy exhibit to Plaintiff’s complaint on grounds it is confidential and/or proprietary information.

4. Defendant Frankenmuth Insurance Company is now, was at the commencement of this suit, and at all times since been a corporation organized and existing under the laws of the Michigan, and a citizen of Michigan with its principal place of business located at One Mutual Way, Frankenmuth, Michigan.

5. Plaintiff Lebow 1031 LaGrange LLC (“Lebow”) is a limited liability company organized and existing under the laws of the State of Georgia with its principal place of business located at 1120 Maple Lane, White Plains, GA 30678. Lebow’s member Eric Ranney of White Plains, Greene County, Georgia is a citizen of Georgia.

6. Lebow’s Complaint was filed in Troup County, Georgia, which is the location of the commercial building which is the subject of Plaintiff’s first-party damages claim.

7. Plaintiff’s Complaint alleges physical damages to property in an amount of \$4,970,559.77, loss of rent exceeding \$36,000, and also seeks to recover statutory bad faith penalties and attorney’s fees pursuant to O.C.G.A. § 33-4-6 calculated as 50% of the loss or \$5,000, whichever is greater.

8. The aforementioned Georgia State Court action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code §1332(a) and, accordingly, is one which may be removed to this Court by Frankenmuth pursuant to the provisions of Title 28 of the United States Code §1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interests and costs and is between citizens of different states.

9. Defendant attaches a copy of Defendant's Notice of Removal that will be filed in the State Court of Troup County, Georgia marked as **Exhibit "B."**

WHEREFORE the Defendant prays the above action now pending before the State Court of Troup County, Georgia be removed to this Court's jurisdiction.

This 14th day of May, 2025.

Goodman McGuffey LLP
Attorneys for Frankenmuth Insurance Company

By: /s/ Stephanie F. Glickauf
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CERTIFICATE OF SERVICE

This is to certify that I electronically filed this **Petition for Removal** with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

William L. Flournoy, Esq.
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This 14th day of May, 2025.

/s/ Stephanie F. Glickauf
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